

GEORGIA M. PESTANA  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

MARTHA NIMMER  
Special Assistant Corporation Counsel  
Cell: (917) 499-8632

**MEMO ENDORSED**

**The Application is granted.**

**SO ORDERED:**

  
Paul G. Gardephe, U.S.D.J.

September 20, 2021

**Dated:** \_\_\_\_\_

**VIA ECF**

Hon. Paul G. Gardephe  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *L.M. v. N.Y.C. Dep't of Education*, 21-cv-1733 (PGG)(SN)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request that the September 22, 2021 conference be adjourned *sine die*, and that the parties be permitted to submit a status letter in two weeks, either informing the Court of a settlement or proposing a briefing schedule. Plaintiff consents to the adjournment.

This is the third request for an adjournment of the conference. The first request was made on June 11, 2021 and granted by Your Honor on June 14, 2021. The second request was made on July 9, 2021 and granted by Your Honor on July 12, 2021. The requested adjournment will provide the parties with additional time to negotiate a settlement. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that the September 22, 2021 conference be adjourned *sine die* and that the parties be permitted to submit a status letter in two weeks, either informing the Court of a settlement or proposing a briefing schedule.

Thank you for considering these requests.

Respectfully submitted,

/s/

---

Martha Nimmer, Esq.  
Special Assistant Corporation Counsel

cc: Irina Roller, Esq. (via ECF)